

# United States District Court

WESTERN DISTRICT OF WASHINGTON

JOHN THOMAS ENTLER

JUDGMENT IN A CIVIL CASE

v.

ELDON VAIL

CASE NUMBER: C08-5695FDB

\_\_\_\_ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

  X   **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

1. The Court adopts the Report and Recommendation;
2. The motion to dismiss this action is **GRANTED**. This action is **DISMISSED WITH PREJUDICE** for failure to state a claim. Amendment will not cure the central defect in the original complaint. The Department of Corrections does not have the obligation to provide service of process services for incarcerated inmates.
3. The motion to strike the reply brief is also **DENIED**.

\_\_\_\_\_  
June 2, 2009

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BRUCE RIFKIN

Clerk

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*/s/ Jennie L. Patton*

Deputy Clerk